

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**IN RE: TERRORIST ATTACKS ON
SEPTEMBER 11, 2001**

**Civil Action No.
03 MDL 1570 (GBD) (FM)**

*This document applies to
Hoglan, et al. v. The Islamic Republic
of Iran, et al.
1:11-cv-07550-GBD*

**DECLARATION OF ALICE HOAGLAND AS PERSONAL REPRESENTATIVE OF
THE ESTATE OF HERBERT HOGLAN**

I, Alice Hoagland, declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the following is true and correct to the best of my knowledge, information and belief.

1. I am a resident of the State of California, a citizen of the United States of America and over the age of eighteen.
2. The information contained in this Declaration is true and is based upon my personal knowledge.
3. I am preparing this Declaration in an effort to express the impact the death of my son, Mark Bingham, had on the life of my father, Herbert Hoglan.
4. I grew up in a family of five siblings: Linden and Alice Hoagland, and Lee, Vaughn and Candyce Hoglan but despite our large family, Mark (Kerry) Bingham was for nearly thirty years, Herbert and Betty's only grandson.

5. Mark's death hit my parents very hard. They had been part of "The Greatest Generation" as writer Tom Brokaw dubbed it: young and patriotic when World War II came along, and willing to follow their countrymen into war. Betty and Herb met as the war was grinding to its end in Europe. Mom was a young and pretty recruiter for the Women's Army Corps. Dad was a handsome Army Infantry Captain who fought in General George Patton's Third Army in North Africa against Nazi Field Marshall Rommel's troops. Both our parents instilled in us great pride in the United States of America.

6. In the summer of 1970, when I was twenty years old, my then-husband Gerald and my three-month-old son "Kerry" and I traveled from Phoenix to live under the same roof with my parents and siblings in my parents' family home near Miami, Florida. My marriage was troubled, and did not last. Kerry's father left after our failed attempts to reconcile, and Kerry and I stayed on at the family home for several years. I depended on Dad for financial support in every way, and upon Mom to buoy up my spirits and help me care for my baby son. It was a role that both Mom and Dad fell into easily. All during their married lives they had given all their children much love and nurturing. I was extremely grateful to my parents for helping me at that low time in my life. With their financial and moral support, Kerry and I thrived in the loving environment they created. Kerry looked up to his Grandpa Herb as he would love a father; Kerry fell easily into the role of "youngest son" for his grandpa. My mom and dad loved Mark from his infancy. Grandpa Betty and Grandpa Herb were the sole caregivers for my growing son during those years as I finished my college education, and later, into the late 1970s, during those numerous lengthy absences I was forced to take as a flight attendant.

7. Herb and Betty's sons Linden, Lee and Vaughn fell right into their roles as Kerry's own big brothers. My son grew hearty, fiercely brave and loving with all that rough-play from his

strapping teenage Uncle Lee and Uncle Vaughn. My sister Candyce, only ten years older than Kerry, became his big sister.

8. My son loved his Grandpa Herb and Grandma Betty, and looked to them for protection and guidance in every facet of his young life. His grandparents provided Kerry and me with the roof over our heads and all the food we put in our mouths, for several years from 1970 to 1975. We all lived together, off and on, until about 1975 when Kerry and I moved to a houseboat on the Miami River.

9. Dad housed us again, beginning in 1977, when our entire family relocated, first to southern California, then to northern California. He bought homes in our several places, and at various times, my son and I lived again under Dad and Mom's roof and ate our food from their table.

10. On his first day in a new school as a third-grader, my son discarded the name "Kerry" ("It's a girl's name, Mom!") and chose to be called "Mark." It was an easy change for his grandma and grandpa to make. They adored everything their beautiful grandson did. They loved his growing independence, and the sight of him growing lanky and tall.

11. When the entire clan moved to northern California, Mom and Dad still contributed enormously to their children and sole grandchild. We sons and daughters were able to repay our parents to some extent as they grew old and dependent upon us. At that point, in the 1990s, our parents lived in a home in the San Jose area belonging to Mark's Uncle Vaughn. Later, Mom and Dad lived in my home in the Santa Cruz Mountains just south of San Jose. By that time, Mark was living in Berkeley as an undergraduate at the University of California.

12. Midmorning on September 11, 2001, Herb and Betty were awakened by a phone call from their children. We were miserably certain that Mark had been killed, but hadn't gotten

official word from either the airlines or the FBI. So Mark's grandparents rushed to Vaughn's home where all their children were gathering, and stayed there most of that day and days following. I remember a tactful and empathetic woman, a TV newswoman, shooting video of my WWII vet dad, head down, framed by the Stars and Stripes fluttering on Vaughn and Kathy's front patio.

13. Dad just glowed with pride to be asked by television reporters about his heroic grandson. He agreed wholeheartedly with reports taking shape from news fragments that Mark was one of the men who led the passenger revolt to reclaim control of the cockpit of hijacked United Airlines Flight 93. Dad reasoned that even though the brave fighting passengers were unable to save their own lives, nonetheless, they saved the lives of many members of Congress and their staffers by preventing the hijacked airplane from becoming a missile against the U.S. Capitol Building. Dad believed Mark and his small team of fellow passengers died as national heroes. Years after 9/11, Dad's conviction was confirmed by 9/11's mastermind, Khalid Sheik Mohammed, who confirmed that the Capitol Dome was UA 93's intended target.

14. Dad, age 86, attended a San Francisco Gay Pride Parade with Candy and me in the early summer of 2002. He proudly and visibly supported his gay grandson, killed as a hero in a national tragedy. He was touched by the sheer number of people ---strangers to him --- who stopped to greet me, and who hailed him warmly as I introduced him as Mark Bingham's grandpa.

15. Our father's health spiraled down after September 11, 2001. It was made worse by the death of his dear wife, Betty Jane Nicklin Hoglan, Mark's grandmother, who slipped quietly away in the aftermath of 9/11, in June, 2002.

16. Our father Herbert Kendall Hoglan died March 8, 2013, and was buried beside our mother at a cemetery site near San Francisco, Mark's adopted hometown.

I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing declaration is true and correct to the best of my knowledge, information and belief.

EXECUTED this 5th day of May, 2017.



ALICE A. HOAGLAND, Personal Representative and Declarant